

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTIANA INDUSTRIES,

Plaintiff,

v.

Case No. 06-12568
Hon. Victoria A. Roberts

EMPIRE ELECTRONICS, INC.,

Defendant.

ORDER

This matter is before the Court on: (1) Defendant's Emergency Motion for immediate termination of preliminary injunction. Defendant's Motion is **DENIED**.

The Court has considered the briefs filed on the amount of the bond and the accompanying affidavits. The Court also takes into account the strength of Plaintiff's case and the public interest in the enforcement of patents.

Based on these considerations, the Court exercises its discretion, and (1) **VACATES** that part of the August 4, 2006 Order which set a bond amount of \$2.5 million; and (2) **REINSTATES** the original bond amount of \$100,000. Plaintiff shall deposit that sum with the Clerk of the Court forthwith.

Plaintiff also filed a Motion to strike Defendant's Reply brief in support of Defendant's Motion for immediate termination of preliminary injunction because it introduced new evidence Plaintiff did not have an opportunity to respond to. The Court

does not rely on new evidence submitted with Defendant's Reply brief for its decision, accordingly, Plaintiff's Motion to strike Defendant's Reply brief is **MOOT**.

IT IS SO ORDERED.

s/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: August 16, 2006

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 16, 2006.

s/Linda Vertriest
Deputy Clerk